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EXAMINER

ZIEGLE, STEPHANIE M

ART UNIT	PAPER NUMBER
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3692

NOTIFICATION DATE	DELIVERY MODE
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03/25/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/508,942	Applicant(s) SUNG, MI-SUN	
	Examiner STEPHANIE ZIEGLE	Art Unit 3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>23 February 2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is in reply to the amendment filed on 24 February 2009.
2. Claims 18-27, and 29-41 have been amended.
3. Claim 42 has been added.
4. Claims 1-17 have been canceled.
5. Claims 18-42 are currently pending and have been examined.
6. This action is made FINAL.
7. The 112 2nd rejections for claims 20, 25, 31 and 41 is withdrawn, the insufficient antecedent basis rejection for claim 25 is maintained.
8. The claim rejection for claim 19 is withdrawn.
9. The 101 rejections for claims 18-41 is also withdrawn.

Response to Arguments

10. Applicant's arguments with respect to claims 18-41 have been considered but are moot in view of the new ground(s) of rejection.
11. With regard to Applicant's attempted traversal of Examiner's Official Notice, Examiner directs Applicant's attention to MPEP §2144.03(C). Applicant's attempted traversal is inadequate because Applicant neither specifically points out the supposed errors in Examiner's official notice nor why Applicant believes Examiner is in error. Merely stating that the statement is wrong or that the applicant believes that it does not cure the deficiencies of the references, does not constitute a proper traversal of the Examiner's Official Notice. Therefore, the statements of Official Notice stand as admitted prior art.

Claim Rejections - 35 USC § 103

- 12.** The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 13.** The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

- 14.** Claims 18-24, 26, 30-31, 37-39, and 42 rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al (US 6,330,544), hereinafter Walker in view of Loeb et al (US 6,006,205), hereinafter Loeb, in view of Macklin et al (US 2003/0155416), hereinafter Macklin in further view of Blinn et al (US 7,155,411), hereinafter Blinn.

Examiner's Note: The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are

Art Unit: 3692

applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Claim 18:

Walker, as shown, discloses the following limitations:

- *subsequent to receiving the request, establishing by the computer system, a gift certificate use limit in an amount of the monetary value within the credit card account;*[See at least claim 1 limitations 2-3]
- *subsequent to approving at least some of the transactions, computing, by the computer system, a total charge amount to be charged to an owner of the credit card account for the plurality of transactions, wherein the total charge amount is computed based on applying at least some of the gift certificate use limit to charges associated with one or more transaction approved for the credit card account. [See at least column 9 lines 23-40]*

Walker does not disclose the following limitation. Loeb, however, does disclose:

- *approving a plurality of transactions using at least one credit card associated with the credit card account, the plurality of transactions totaling a total transaction amount;* [See at least Figure 9 item number 930 and related text]

It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate of Walker with the transaction of Loeb because it quickly and easily enables a customer to utilize a gift received to purchases goods and services. The combination of Walker and Loeb does not disclose *receiving, by a computer system of the financial institution, a request for registering approval a gift certificate in a pre-existing credit card account such that a monetary value of the Gift certificate is established as a gift*

Art Unit: 3692

certificate use limit within the pre-existing credit card account. Macklin, however, discloses having multiple sub-accounts under one primary account in at least Figures 1 and 3 and related text. It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate and transaction of Walker and Loeb with the sub-accounts of Macklin because it minimizes the number of cards that a user must carry without limiting the amount of accounts available (Macklin paragraph 005). The combination of Walker, Loeb, and Macklin does not disclose a gift certificate being one of the sub-accounts. Blinn, however, discloses receiving a gift certificate as a gift and storing the gift certificate as a sub account in an electronic wallet in at least Figure 3 and column 10 line 65 to column 11 line 19. It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate, transaction, and sub-account of Walker, Loeb, and Macklin with the gift certificate sub account of Blinn because it easily and quickly allows a customer to utilize multiple payment methods to make a purchase.

Claim 19:

The combination of Walker, Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 18. Walker also discloses the following:

- *the monetary value is used to make the total charge amount smaller than the total transaction amount without regard to whether at least part of the plurality of transactions has been made with the gift certificate issuer or merchants affiliated with the gift certificate issuer.* [See at least column 9 lines 23-40]

Claim 20:

The combination of Walker, Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 18. Walker also discloses the following:

Art Unit: 3692

- *computing the monetary value is used up first.* [See at least column 9 lines 23-40]

Claim 21:

The combination of Walker, Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 18. Walker also discloses the following:

- *the total charge amount for the plurality of transactions is the total transaction amount less the monetary value in case the total transaction amount is greater than the monetary value.* [See at least column 9 lines 23-40]

Claim 22:

The combination of Walker, Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 21. Walker also discloses the following:

- *subsequent to computing, resetting the gift certificate use limit to zero.* [See at least column 5 line 20 and column 9 lines 23-40 and column 17 lines 32-34]

Claim 23:

The combination of Walker, Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 18. Walker also discloses the following:

- *the total charge amount for the plurality of transactions is zero in case the total transaction amount is smaller than the monetary value.* [See at least column 9 lines 23-40]

Claim 24:

The combination of Walker, Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 23. Walker also discloses the following:

Art Unit: 3692

- *subsequent to computing, updating the gift certificate use limit to a residual amount that is the monetary value less the total transaction amount. [See at least column 5 line 20]*

Claim 26:

The combination of Walker, Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 18. Loeb also discloses the following:

- *generating a credit card account statement, which charges to the owner the total charge amount for the plurality of transactions and informs the owner that the total charge amount is smaller than the total transaction amount with use of the monetary value from the gift certificate. [6,006,205: See at least column 8 lines 11-23]*

It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate, transaction, and sub-account of Walker, Loeb, and Macklin with the account statement of Loeb because it easily enables the customer to visualize the charges made to an account at the close of the transaction period as well as it enables the customer to quickly make a payment to their account.

Claim 30:

The combination of Walker, Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 18. Walker also discloses the following:

- *wherein the request comprises information identifying the gift certificate, wherein the method further comprises verifying that the gift certificate is valid. [See at least column 5 lines 9-38]*

Claim 31:

Art Unit: 3692

The combination of Walker, Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 30. Walker also discloses the following:

- *verifying comprises communicating with a gift certificate database outside the financial institute. [See at least Figure 2 item number 216 and column 17 lines 32-34]*

Claim 37:

Walker, as shown, discloses the following limitations:

- *subsequent to receiving the request, creating by the computer system a gift certificate use limit in an amount of the monetary value of the gift certificate within the pre-existing bank account; [See at least claim 1 limitations 2-3]*
- *subsequent to approving the transaction, applying at least part of the gift certificate use limit to pay for the transaction amount and updating the gift certificate use limit within the pre-existing bank account. [See at least column 9 lines 23-40]*

Walker does not disclose the following limitation. Loeb, however, does disclose:

- *approving by the computer system a transaction having a transaction amount; and [See at least Figure 9 item number 930 and related text]*

It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate of Walker with the transaction of Loeb because it quickly and easily enables a customer to utilize a gift received to purchases goods and services. The combination of Walker and Loeb does not disclose *receiving, by a computer system of the financial institution, a request for registering approval a gift certificate in a pre-existing credit card account such that a monetary value of the Gift certificate is established as a gift certificate use limit within the pre-existing credit card account*. Macklin, however, discloses having multiple sub-accounts under one primary account in at least Figures 1 and 3 and related text. It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate and transaction of Walker and Loeb with the sub-accounts of Macklin because it minimizes

Art Unit: 3692

the number of cards that a user must carry without limiting the amount of accounts available (Macklin paragraph 005). The combination of Walker, Loeb, and Macklin does not disclose a gift certificate being one of the sub-accounts. Blinn, however, discloses receiving a gift certificate as a gift and storing the gift certificate as a sub account in an electronic wallet in at least Figure 3 and column 10 line 65 to column 11 line 19. It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate, transaction, and sub-account of Walker, Loeb, and Macklin with the gift certificate sub account of Blinn because it easily and quickly allows a customer to utilize multiple payment methods to make a purchase.

Claim 38:

The combination of Walker, Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 37. Walker also discloses the following:

- *wherein the at least part of the gift certificate use limit is used by the computer system without regard to whether the transaction is made with an issuer of the gift certificate or a merchant affiliated with the issuer. [See at least column 9 lines 23-40]*

Claim 39:

The combination of Walker, Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 37. Walker also discloses the following

- *when the transaction amount is greater than the monetary value of the gift certificate, resetting the gift certificate use limit to zero; and [See at least column 5 line 20 and column 9 lines 23-40 and column 17 lines 32-34]*
- *when the transaction amount is smaller than the monetary value of the gift certificate, updating the gift certificate use limit to an amount that is the*

Art Unit: 3692

monetary value less the total transaction amount. [See at least column 5 line 20]

Claim 42:

The combination of Walker, Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 18. Blinn also discloses the following:

- *the computed total charge amount is the total transaction amount less the at least some of the gift certificate use limit.* [See at least Figures 8-9 and related text]

It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate, transaction, the gift certificate sub account, and sub-account of Walker, Loeb, Macklin and Blinn with the charge amount of Blinn because it easily and quickly allows a customer to utilize multiple payment methods to make a purchase.

15. Claims 25 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Loeb in view of Macklin in view of Blinn and in further view of The Sal Anthony Website Policy on Gift Certificates, hereinafter Sal.

Claim 25:

The combination of Walker, Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 18. Loeb also discloses the following:

- *Receiving by the computer system a request for funding of the residual amount; and* [See at least Column 2 line 18]

It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate, transaction, the gift certificate sub account, and sub-account of Walker, Loeb, Macklin and Blinn with the request for a refund of Loeb

Art Unit: 3692

because it easily and conveniently enables the customer to utilize the remainder portion of the gift certificate no matter how much is left. The combination of Walker, Loeb, Macklin, and Blinn, does not disclose the following. Sal, however, does disclose:

- *funding the residual amount to the owner.* [See at least Sal Anthony's Policy on Gift Certificates]

It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate, transaction, the gift certificate sub account, and sub-account of Walker, Loeb, Macklin and Blinn with the refund of Sal because it easily and conveniently enables the customer to utilize the remainder portion of the gift certificate no matter how much is left.

Claim 41:

The combination of Walker, Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 18. Loeb also discloses the following:

- *upon request from an owner of the bank account.* [See at least Column 2 line 18]

It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate, transaction, the gift certificate sub account, and sub-account of Walker, Loeb, Macklin and Blinn with the request for a refund of Loeb because it easily and conveniently enables the customer to utilize the remainder portion of the gift certificate no matter how much is left. The combination of Walker, Loeb, Macklin, and Blinn, does not disclose the following. Sal, however, does disclose:

- *subsequent to using at least part of the gift certificate use limit, funding a residual amount of the gift certificate use limit* [See at least Sal Anthony's Policy on Gift Certificates].

It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate, transaction, the gift certificate sub account, and sub-

Art Unit: 3692

account of Walker, Loeb, Macklin and Blinn with the refund of Sal because it easily and conveniently enables the customer to utilize the remainder portion of the gift certificate no matter how much is left.

16. Claims 29 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Loeb in view of Macklin in view of Blinn in further view of Official Notice (now admitted prior art).

Claim 29:

The combination of Walker, Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 18. The combination of Walker, Loeb, Macklin, and Blinn does not disclose the following limitation.

- *sending, to a point of the first transaction, information indicating that the first amount is covered by the gift certificate use limit so as to include the information on a first receipt of the first transaction.*

However, the Examiner takes **Official Notice (now admitted prior art)** that it is old and well known in the transaction arts to print an updated balance on the transaction receipt. It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate, transaction, the gift certificate sub account, and sub-account of Walker, Loeb, Macklin and Blinn with the notification of the updated balance because it makes it simple and easy for a recipient to know when a gift has been made to them and to be fully aware of their new balance.

Claim 40:

The combination of Walker, Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 37. The combination of Walker, Loeb, Macklin, and Blinn does not disclose the following limitation.

Art Unit: 3692

- *sending, to a point of the first transaction, information indicating that the transaction amount is covered by the gift certificate use limit so as to include the information on a receipt of the transaction.*

However, the Examiner takes **Official Notice (now admitted prior art)** that it is old and well known in the transaction arts to print an updated balance on the transaction receipt. It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate, transaction, the gift certificate sub account, and sub-account of Walker, Loeb, Macklin and Blinn with the notification of the updated balance because it makes it simple and easy for a recipient to know when a gift has been made to them and to be fully aware of their new balance.

17. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Loeb in view of Macklin in view of Blinn and in further view of Xu (US 2003/0195840).

Claim 27:

The combination of Walker, Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 18. Loeb also discloses the following:

- *wherein the credit card account has a predetermined credit limit, [See at least Figure 4 item number 440 and related text]*
- *while the total transaction amount is equal to or smaller than the sum of the predetermined credit limit and the monetary value. [See at least column 8 lines 11-23]*

The combination of Walker, Loeb, Macklin, and Blinn does not disclose the following limitation. Xu, however, does disclose:

- *wherein approving the plurality of transactions results in that the total transaction amount exceeds the predetermined credit limit [See at least paragraph 0026]*

Art Unit: 3692

It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate, transaction, the gift certificate sub account, and sub-account of Walker, Loeb, Macklin and Blinn with the exceeding the credit limit of Xu because it enables the customer to purchase their good or service in view of the temporarily increased limit, taking into account the increase due to the gift, rather than just the previously set credit limit.

18. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Loeb in view of Macklin in view of Blinn in view of Xu and in further view of Official Notice (now admitted prior art).

Claim 28:

The combination of Walker, Loeb, Macklin, Blinn and Xu as shown in the rejection above, discloses all of the limitations of claim 18. The combination of Walker, Loeb, Macklin, Blinn and Xu does not disclose the following limitation.

- *wherein the predetermined credit limit is equal to or higher than zero.*

However, the Examiner takes **Official Notice** that it is old and well known in the credit arts for the credit limit to be a positive value (above zero). It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate, transaction, the gift certificate sub account, sub-account, and exceeding the credit limit of Walker, Loeb, Macklin, Blinn, and Xu with having a positive credit limit because it keeps the credit providers in business and does not provide the customer with free money.

19. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Loeb in view of Macklin in view of Blinn.

Claim 32:

Art Unit: 3692

Loeb, as shown, discloses the following limitation:

- *Receiving by the computer system of the financial institution information identifying a pre-existing credit or bank card account at the financial institution, wherein the account is associated with at least one card for use in purchase transactions; [See at least Figure 9 item number 920 and related text]*

Loeb does not disclose receiving, by the computer system, a request for approval of using a gift certificate within the account wherein the gift certificate has been issued by a gift certificate issuer and has a monetary value. Macklin, however, discloses having multiple sub-accounts under one primary account in at least Figures 1 and 3 and related text. It would have been obvious to one skilled in the art at the time of the invention to combine transaction of Loeb with the sub-accounts of Macklin because it minimizes the number of cards that a user must carry without limiting the amount of accounts available (Macklin paragraph 005). The combination of Loeb, and Macklin does not disclose a gift certificate being one of the sub-accounts. Blinn, however, discloses receiving a gift certificate as a gift and storing the gift certificate as a sub account in an electronic wallet in at least Figure 3 and column 10 line 65 to column 11 line 19. Blinn also discloses in at least column 10 line 65 to column 11 line 19, upon approval of the request, creating by the computer system, a gift certificate use limit within the pre-existing account such that the monetary value of the gift certificate is made available through the at least one card for one or more purchase transactions without regard to whether at least part of the transactions is made with the gift certificate issuer or merchants affiliated with the gift certificate issuer. It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate, transaction, and sub-account of Loeb, and Macklin with the gift certificate sub account of Blinn because it easily and quickly allows a customer to utilize multiple payment methods to make a purchase.

Art Unit: 3692

20. Claims 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loeb in view of Macklin in view of Blinn in further view of Walker.

Claim 33:

The combination of Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 32. Loeb also discloses the following:

- *receiving a request for approval of a first transaction using the card;* [See at least Figure 9 item numbers 910 and 920 and related text]
- *approving the first transaction; and* [See at least Figure 9 item number 930 and related text]

The combination of Loeb, Macklin, and Blinn, does not disclose the following. Walker, however, does disclose the following:

- *using at least part of the monetary value to pay for at least part of the transaction.* [See at least column 9 lines 23-40]

It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate, transaction, and credit of Loeb, Macklin, and Blinn with the utilization of part of the gift certificate to pay for the transaction of Walker because it quickly and easily enables a customer to utilize a gift received to purchases goods and services.

Claim 34:

The combination of Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 32. Loeb also discloses the following:

- *approving a first transaction using the card in a first transaction amount; and* [See at least Figure 9 item number 930 and related text]

The combination of Loeb, Macklin, and Blinn, does not disclose the following. Walker, however, does disclose the following:

Art Unit: 3692

- *subsequent to approving, updating the gift certificate use limit to an amount smaller than the monetary value.* [See at least column 5 line 20]

It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate, transaction, and credit of Loeb, Macklin, and Blinn with the updating of Walker because it quickly and easily enables a customer to utilize a gift received to purchases goods and services while maintaining the useable balance of the gift.

Claim 35:

The combination of Loeb, Macklin, and Blinn, as shown in the rejection above, discloses all of the limitations of claim 32. Loeb also discloses the following:

- *approving a first transaction using the card in a first transaction amount; and*
[See at least Figure 9 item number 930 and related text]

The combination of Loeb, Macklin, and Blinn, does not disclose the following. Walker, however, does disclose the following:

- *subsequent to approving, further updating the gift certificate use limit to a smaller amount.* [See at least column 5 line 20]

It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate, transaction, and credit of Loeb, Macklin, and Blinn with the updating of Walker because it quickly and easily enables a customer to utilize a gift received to purchases goods and services while maintaining the useable balance of the gift.

21. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Loeb in view of Macklin in view of Blinn in view of Walker in view of Xu.

Art Unit: 3692

Claim 36:

The combination of Loeb, Macklin, Blinn and Walker, as shown in the rejection above, discloses all of the limitations of claim 35. Loeb also discloses the following:

- *wherein the credit card account has a predetermined credit limit, [See at least Figure 4 item number 440 and related text]*
- *while the accumulated total transaction amount is equal to or smaller than the sum of the predetermined credit limit and the monetary value. [See at least column 8 lines 11-23]*

The combination of Loeb, Macklin, Blinn and Walker does not disclose the following limitation. Xu, however, does disclose:

- *wherein approving the first transaction results in that an accumulated total transaction amount thus far including the first transaction amount exceeds the predetermined credit limit [See at least paragraph 0026]*

It would have been obvious to one skilled in the art at the time of the invention to combine the gift certificate, transaction, updating, and credit of Loeb, Macklin, Blinn, and Walker with the exceeding the credit limit of Xu because it enables the customer to purchase their good or service in view of the temporarily increased limit, taking into account the increase due to the gift, rather than just the previously set credit limit.

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Zacharias – US 6,494,367: Secure Multi-Application Card System
- Molano et al – US 6,032,135: Electronic Purse Card Value System and Terminal Programming System and Method

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Stephanie M. Ziegler** whose telephone number is **571.272.4417**. The Examiner can normally be reached on Monday-Friday, 7:30am-4:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **KAMBIZ ABDI** can be reached at **571.272.6702**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Art Unit: 3692

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria, VA 22313-1450

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and**

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/Stephanie Ziegler/ Examiner, Art Unit 3692

19 March 2009

/Susanna M. Diaz/

Primary Examiner, Art Unit 3692